



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: #13310-00000-00658

Date Received: 9 SEP. 2013

Commission/Civic: Near East

Existing Zoning: LC-4

Application Accepted by: JS

Fee: \$1900

Comments: 11/19/13

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance

☐ Special Permit

Indicate what the proposal is and list applicable code sections.

See Statement of Hardship, Exhibit B

PAID
SEP 09 2013

BUILDING & ZONING SERVICES

LOCATION

I. Certified Address Number and Street Name 1072 E. Main Street

City Columbus

State OH

Zip 43205

Parcel Number (only one required) 010-063521 (see Supplemental Parcel # list)

APPLICANT: (IF DIFFERENT FROM OWNER)

Name Core Resources, Inc., c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, FL 3

City/State Columbus, OH

Zip 43215-5240

Phone # (614) 947-8600

Fax # (614) 228-1790

Email dplank@planklaw.com

PROPERTY OWNER(S):

Name Carol Y. Maker McElroy and Tonie B. Everhart, c/o Donald Plank, Plank Law Firm

Address 145 East Rich Street, FL 3

City/State _____

Zip _____

Phone # (614) 947-8600

Fax # (614) 228-1790

Email dplank@planklaw.com

☐ Check here if listing additional property owners on a separate page.

ATTORNEY/AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney

☐ Agent

Name Donald Plank, Plank Law Firm

Address 145 East Rich Street, FL 3

City/State Columbus, OH

Zip 43215-5240

Phone # (614) 947-8600

Fax # (614) 228-1790

Email: dplank@planklaw.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Donald Plank, attorney

PROPERTY OWNER SIGNATURE Donald Plank, attorney

ATTORNEY/AGENT SIGNATURE Donald Plank

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make all checks payable to the Columbus City Treasurer



BOARD OF ZONING ADJUSTMENT APPLICATION

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AFFIDAVIT

13310-00658
1072 E. Main St.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Donald Plank
of (1) MAILING ADDRESS Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215-5240
deposed and states that (he) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY 1072 East Main Street, Columbus, OH 43205
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Carol Y. Maker McElroy, Tonie B. Everhart, c/o Donald Plank
Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215-5240

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

Core Resources, Inc.
c/o Donald Plank (614) 947-8600

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Near East Area Commission
c/o Annie Ross-Womack
874 Oakwood Avenue, Columbus, OH 43206

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

See Exhibit A

☐ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8) Donald Plank

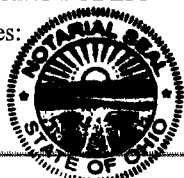
Subscribed to me in my presence and before me this 6th day of SEPTEMBER, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Barbara A. Painter
AUGUST 3, 2015

My Commission Expires:

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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EXHIBIT A, Public Notice
1072 E. Main Street
BZA13- _____
August 30, 2013

APPLICANT

Core Resources, Inc.
c/o Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215-5240

PROPERTY OWNER

Carol Y. Maker McElroy
c/o Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215-5240

Tonie B. Everhart
c/o Donald Plank, Plank Law Firm
145 East Rich Street, FL 3
Columbus, OH 43215-5240

ATTORNEY

Donald Plank, Plank law Firm
145 East Rich Street, FL 3
Columbus, OH 43215-5240

COMMUNITY GROUP

Near East Area Commission
c/o Annie Ross-Womack
874 Oakwood Avenue
Columbus, OH 43206

Near East Area Commission
c/o Kathleen Bailey
489 Linwood Avenue
Columbus, OH 43205

PROPERTY OWNERS WITHIN 125 FEET

Joshua A. Martin
322 S. Ohio Ave.
Columbus, OH 43205

Maryann Rudder
116 Summit Ridge Rd. N.
Reynoldsburg, OH 43068

Sadie Russell AFDT
329 S. Ohio Ave.
Columbus, OH 43205

Fishhead, Inc.
F & W Properties, Inc.
753 E. Broad St.
Columbus, OH 43205

Joshua Martin
PO Box 6885
Columbus, OH 43205

Columbus Compact Corp
1051 E. Main St.
Columbus, OH 43205

Hester E. Nyamweya
839 Oak St.
Columbus, OH 43205

Jeff Rhoades
333 Tibet Rd.
Columbus, OH 43202

13310-00658
1072 E. Main St.

Linda H. Cardinali
1101 E. Rich St.
Columbus, OH 43205

Income Funds I LP
7304 Weldon Rd.
Plain City, OH 43064

Willie Livingston
Marie Livingston
332 S. Ohio Ave.
Columbus, OH 43205

Samira H. Jallaq
1075 E. Main St.
Columbus, OH 43205

Olde Towne East Restorations, LLC
1023 E. Main St.
Columbus, OH 43205

Ruth Brown
318 S. Ohio Avenue
Columbus, OH 43205

Anchor Holdings, Inc.
2260 W. Holcomb Road
Houston, TX 77030

City of Columbus Land Bank
c/o Mr. John Turner
109 N. Front Street
Columbus, OH 43215

Jerome Rogers
1095 E. Rich Street
Columbus, OH 43205

ALSO NOTIFY

David B. Perry
David Perry Co., Inc.
145 East Rich Street, 3rd Floor
Columbus, OH 43215

Mr. Brian Copfer
Core Resources, Inc.
1404 Vine Street
Cincinnati, OH 44125

Mr. Gary Schulte
Family Dollar Stores, Inc.
7870 Olentangy River Road, Suite 300
Columbus, OH 43235

Mr. Bill Tippman
Tippman Management, LLC
7533 Pinehurst Drive
Cincinnati, OH 45244

Megan Cyrus, P.E.
The Kleingers Group
350 Worthington Road, Suite B
Westerville, OH 43082

Carol Y. Maker McElroy
2000 Norton Road
Columbus, OH 43228

Tonie B. Everhart
2000 Norton Road
Columbus, OH 43228

13310-00658
1072 E. Main St.



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00658
1072 E. Main St.

One Stop Shop Zoning Report Date: Mon Sep 16 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 1072 E MAIN ST COLUMBUS, OH

Mailing Address: 2000 NORTON RD
COLUMBUS OH 43228

Owner: MCELROY CAROLYN Y MAKER EVERH

Parcel Number: 010063521

ZONING INFORMATION

Zoning: Z86-1123, Commercial, LC4
effective 6/3/1987, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: EAST MAIN STREET UCO

Graphic Commission: N/A

Area Commission: Near East Area Commission

Planning Overlay: N/A

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A

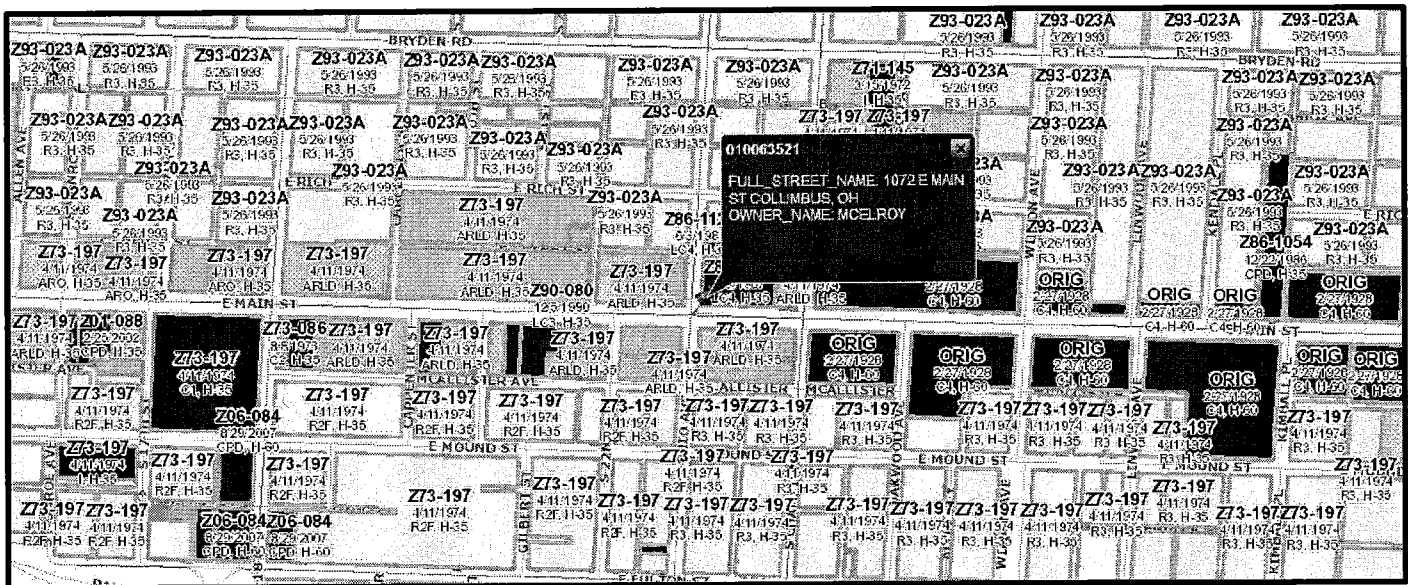


EXHIBIT B

Statement of Hardship

1072 E. Main Street

BZA: _____

13310-00658
1072 E. Main St.

The 1.05 +/- acre site is located at the northeast corner of East Main Street and South Ohio Avenue. The property is zoned L-C-4, Limited Commercial (Ordinance 785-87, Z86-1123) and is also located in the East Main Street Urban Commercial Overlay (UCO). Applicant's proposed development of a retail commercial use complies with the Limitation Text established by Ordinance 785-87. Variances to itemized Sections of the UCO are requested with this application.

Applicant proposes to develop the site in accordance with the site plan and elevations submitted with the application. The proposed building is an 8,320 sq. ft. retail commercial building. Applicant requests the following variances to develop the site as depicted on submitted plans:

- 1). 3372.604 (A), Setback Requirements, to increase the permitted maximum building setback from S. Ohio Avenue from 10 feet to 66 feet due to recommendation of environmental consultant to not excavate soil in the requested South Ohio Avenue setback. The South Ohio Avenue setback will be landscaped. Applicant has a hardship with complying with the maximum building setback from South Ohio Avenue due to existing physical conditions at the property.
- 2). 3372.604 (B), Setback Requirements, which Section requires parking lots to be located behind the principal building, except where access from behind the principal building is not possible from a street or alley, then up to 50% of the parking may be located at the side of the principal building. Applicant has designed 50% of parking to be located to the east side of the principal building and has vehicular access to the site from behind the principal building and from East Main Street, as approved by the Division of Planning and Operations/Public Service Department. To require all parking to be located behind the principal building and to require a main entrance door on the primary building frontage requires customers to walk around the building to access the main entrance door on the primary frontage or requires the retailer to maintain a second entrance/exit to the building from the rear parking lot. Both concepts are contrary to retail design and store security. Variances have previously been approved to permit

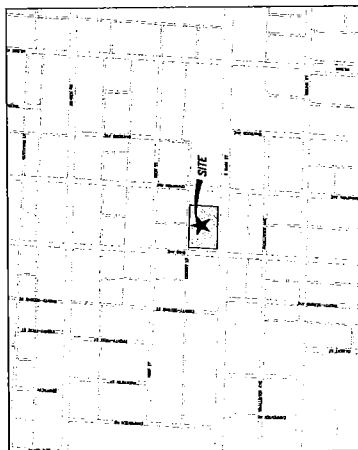
the location of parking, including greater than 50% of total parking, at the side of the building with a curbcut on the primary street.

3). 3372.605 (B), Building Design Standards, to reduce the width of the principal building along the primary frontage (E. Main Street) from 60% (157') of lot width (262') to 40% of lot width (104'). The site is unusual for an urban redevelopment site to have 262 feet of primary street frontage and have the street frontage compounded with soil that is recommended not to be excavated (66 feet of frontage). The store width (104') is 53% of the net developable width. Variances have previously been approved by the BZA to reduce the required 60% width of the principal building.

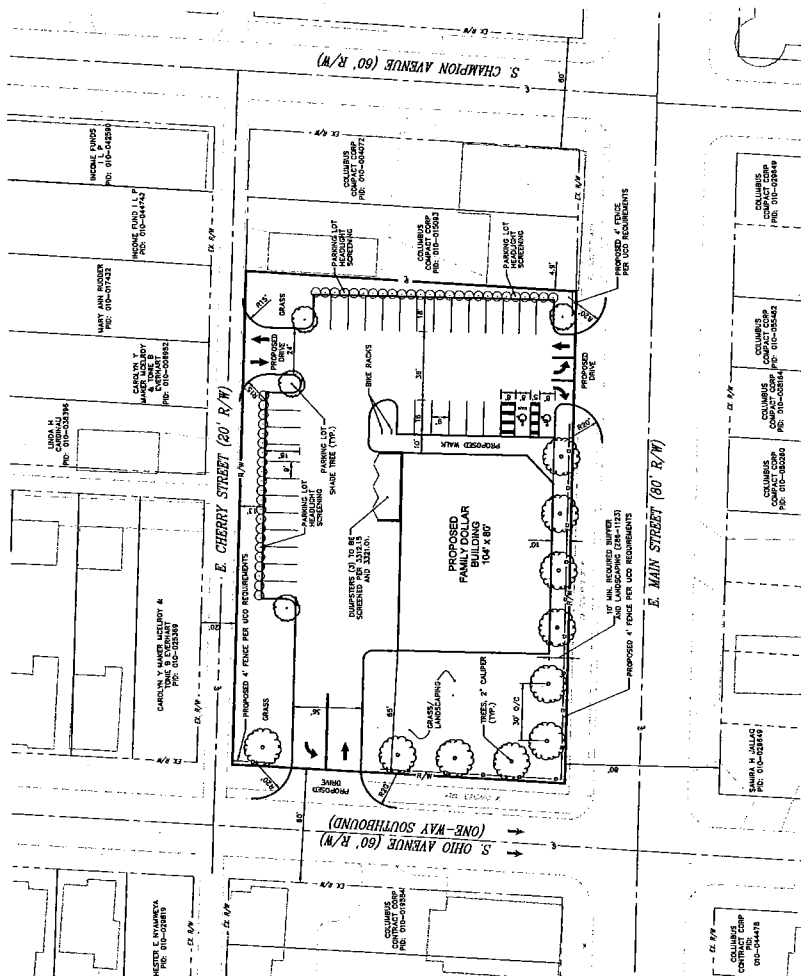
4). 3372.605 (D), Building Design Standards, to not provide window glass on the secondary building frontage (South Ohio Avenue). South Ohio Avenue is the secondary building frontage and, as such, is subject to glass being located in the first ten (10) feet of the building north of the Main Street frontage, with 60% of the area between 2' and 10' above grade to be glass. The actual glass required is 48 square feet. The standard was written for buildings placed at the hard intersection of two (2) streets, which is not the case with this proposal due to the environmental consultant recommendation to hold the building back from South Ohio as indicated (66') on the site plan. Due to the west building setback, the west wall of the building is comparable to a wall along an interior property line where no glass would be required. Applicant has proposed various landscaping in the S. Ohio building setback to treat the setback area and aesthetically soften the west wall. 112 sq. ft. of non-code required glass is provided on the east building elevation, adjacent to the parking lot.

Applicant has a hardship with compliance with the literal requirements of the Sections cited for the reasons stated and requests relief from these Sections to permit reasonable development of the property.

09/06/13



NEIGHBORHOOD MAP
N.T.S.

[illegible]

SITE PLAN
FAMILY DOLLAR
CITY OF COLUMBUS
FRANKLIN COUNTY, OHIO

| | |
|-------------|------------|
| PROJECT NO: | 130180.000 |
| DATE: | 09/09/2013 |

SITE PLAN

C100



**1136 Greenwood Cliff
Charlotte, NC 28204**

ARCHITECT'S PROJECT # 1940
DESIGN BASED ON 2013-03 FD PROTOTYPE

ELEVATIONS \
EXTERIOR FINISH
SCHEDULE

THIS DRAWING AND ITS COPIES ARE THE COPYRIGHT OF THE ARCHITECT. THEY MAY NOT BE USED FOR PROJECTS OTHER THAN THE DESIGNATED PROJECT WITHOUT THE SPECIFIC WRITTEN APPROVAL OF C. L. MELT ARCHITECT, INC., AND OR

Drawn By :

Checked By :

Reviews :

[illegible]

| | |
|-------------|---------------|
| Seed | Date : |
|-------------|---------------|

Sheet No.

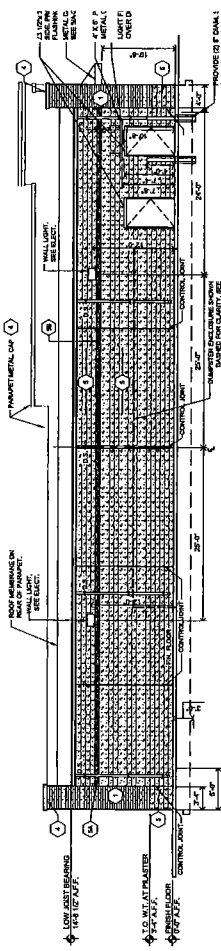
EXTERIOR FINISH SCHEDULE

| NO. | AREA | TYPE | COATS | COLOR |
|-----|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ① | CLARK BRICK | CLARK BRICK | PRE-FINISHED | HERITAGE BLEND TO BE APPROVED BY PANEL. DOLLAR |
| ② | METAL CANOPY ROOF | VP - PANEL, RGB NUGOR - CLASSIC WALL MID-NEST COLOR MATCH UP TOOD, BRIGHT REZ SHERWIN WILLIAMS SW 6811 "SAFETY REZ" | PRE-FINISHED | VP COLOR "COOL BRIGHT REZ" NUGOR COLOR MATCH UP TOOD, BRIGHT REZ SHERWIN WILLIAMS SW 6811 "SAFETY REZ" |
| ③ | SCOTT PANELS | VP - PANEL, RGB NUGOR - CLASSIC WALL MID-NEST - PER PANEL | PRE-FINISHED | VP COLOR "COOL BRIGHT TO WHITE" NUGOR COLOR "POLAR WHITE" MID-NEST COLOR "POLAR WHITE" SHERWIN WILLIAMS MATCHING COLOR SW 1057 "ELEG BRIGHT WHITE" |
| ④ | STUCCO / EIFS OVER SMOOTH FAZE DAW SEE SECTION DETAILS ON DRAWING FOR PARAMET CAP | | PRE-FINISHED | SHERWIN WILLIAMS MATCHING COLOR SW 6122 "CAMELBACK" |
| ⑤ | DOORS, GUTTERS, WTL, THW 4 PARAMET CAP | EXTERIOR LATEX | PRE-FINISHED | SHERWIN WILLIAMS MATCHING COLOR SW 6122 "CAMELBACK" |
| ⑥ | SPLIT FAZE DAW | EXTERIOR LATEX | 2 | SHERWIN WILLIAMS MATCHING COLOR SW 6122 "CAMELBACK" |
| ⑦ | SMOOTH FAZE DAW | EXTERIOR LATEX | 2 | PAINT TO MATCH ① |
| ⑧ | STEEL ROLLS | EXTERIOR LATEX | 2 | MATCH SHERWIN WILLIAMS SW 6811 "SAFETY REZ" |

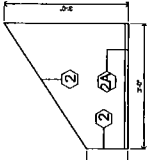
EXTERIOR FINISH NOTES:

EXTERIOR FINISH NOTES:

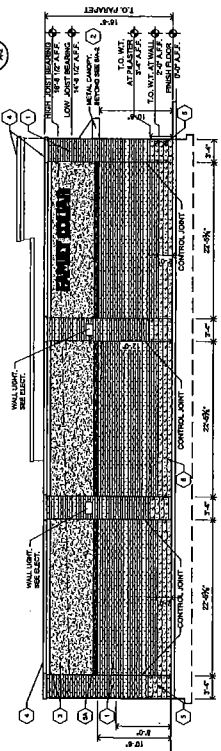
- APPLY MASONRY BLOCK FILLER TO CONCRETE BLOCK PRIOR TO FINISH PAINTING.
G.C. OR PAINT CONTRACTOR MUST NOTIFY LOCAL SHERWIN WILLIAMS DEALER THAT PAINT IS BEING PURCHASED FOR A FAMILY DOLLAR STORE AND PROVIDE SHERWIN WILLIAMS DEALER WITH STORE LOCATION.



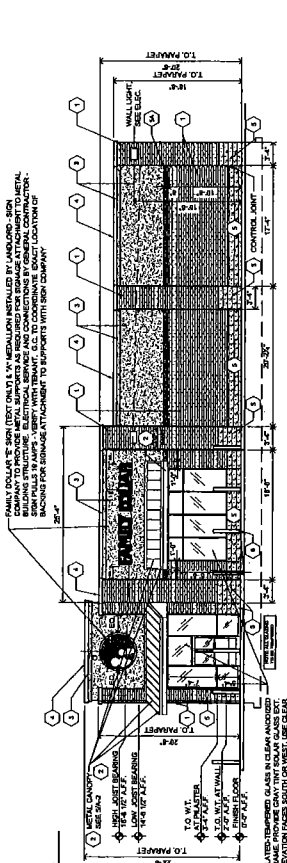
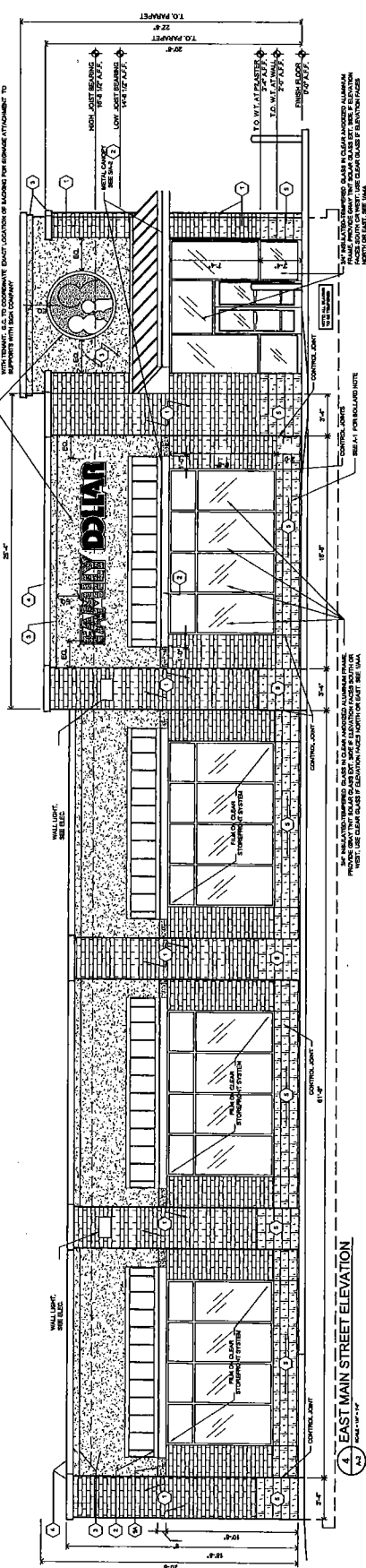
1 E. CHERRY STREET ELEVATION



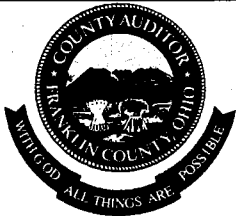
FRONT CANOPY DTL.



2 S. OHIO AVENUE ELEVATION

EAST ELEVATION

4 EAST MAIN STREET ELEVATION



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: dbp

DATE: 8/30/13



Disclaimer

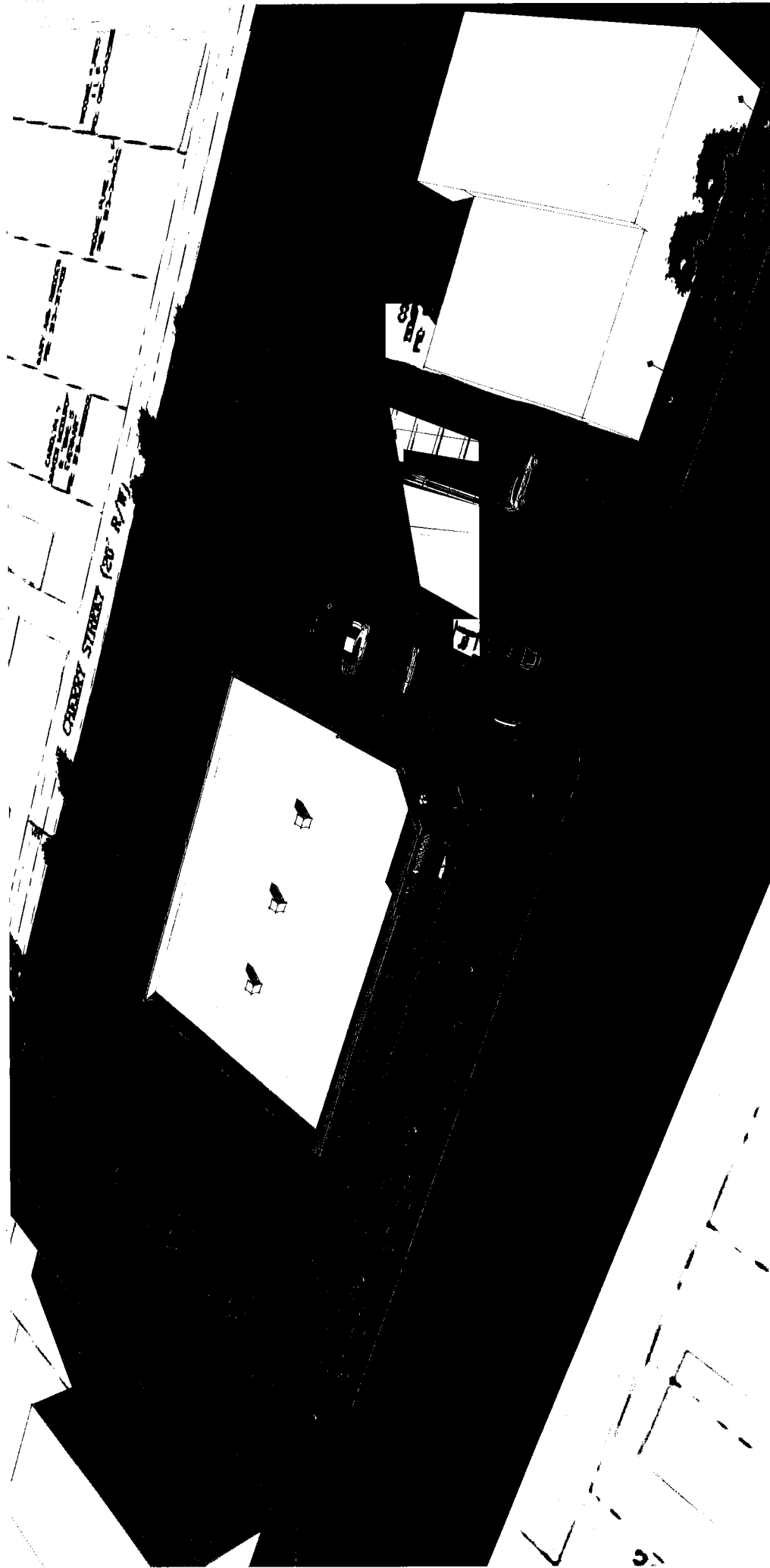
Scale = 100

Grid
h

This map is prepared for the real property inventory within this county, survey plats, and other public records and data. Users of this map are n information sources should be consulted for verification of the informat county and the mapping companies assume no legal responsibilities for Please notify the Franklin County GIS Division of any discrepancies.

13310-00658
1072 E. Main St.

Real Estate / GIS Department

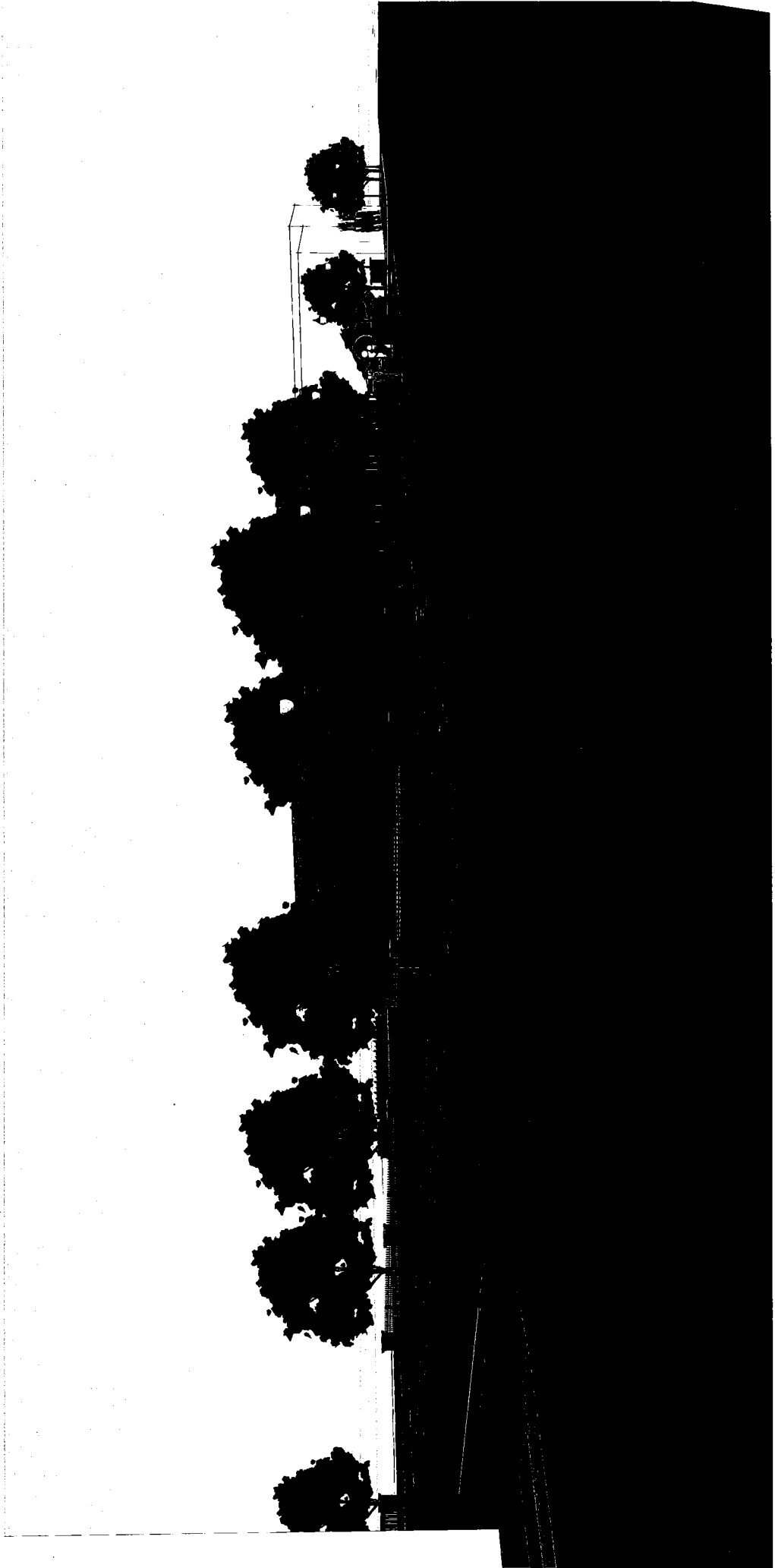


13310-00658
1072 E. Main St.



13310-00658
1072 E. Main St.







City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel IDs: 010063521, 010020310, 010016110, 010023788, 010026937,
010025790, 010027582, 010029822, 010056050

Zoning Number: 1072

Street Name: E MAIN ST

Lot Number: VARIOUS

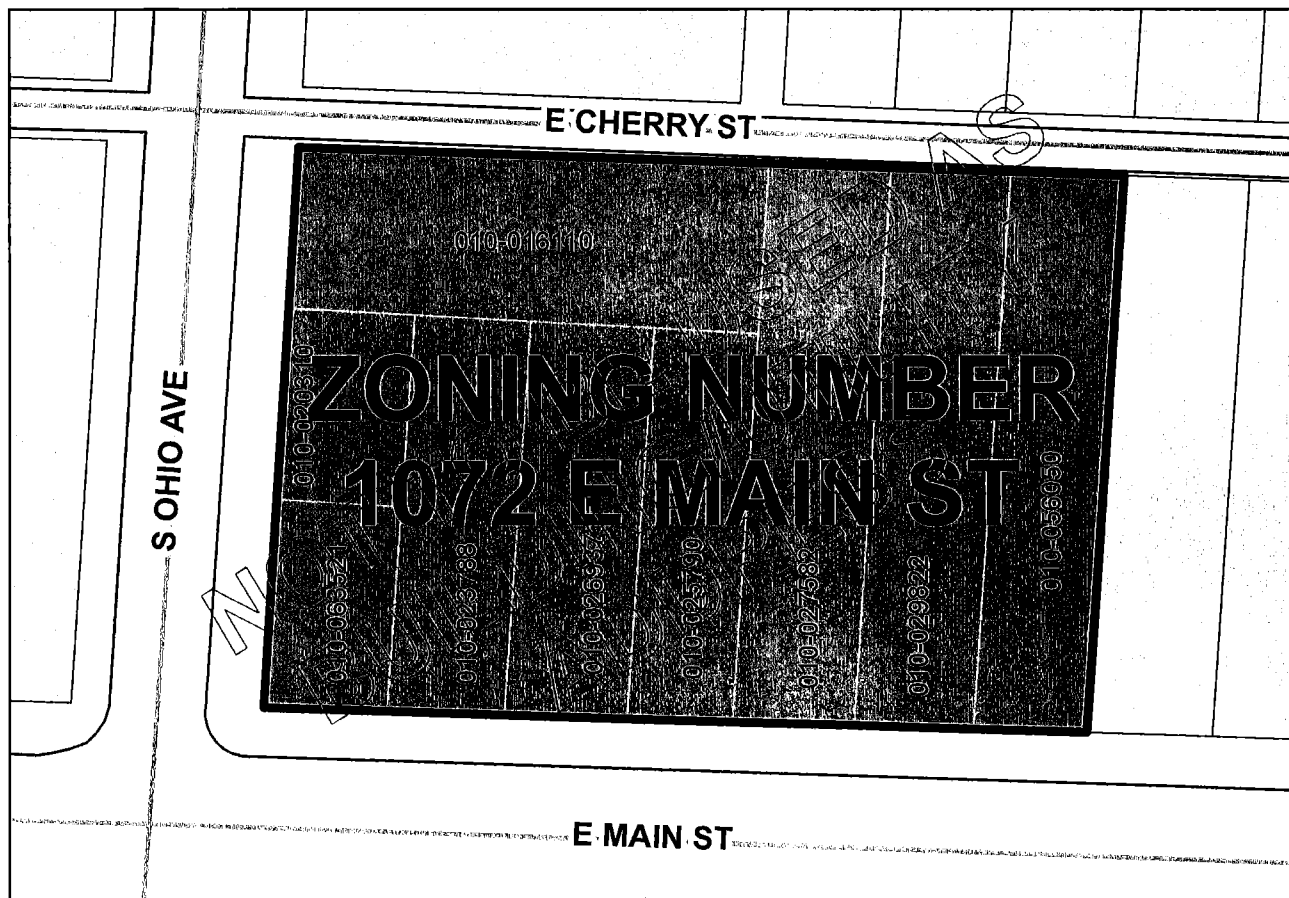
Subdivision: F F HOFFMAN ETAL SUB

Requested By: DAVID PERRY COMPANY, INC. (DAVE PERRY)

Issued By:

Cassandra Sampedro

Date: 8/29/2013



SCALE: 1 inch = 60 feet



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION

13310-00658
1072 E. Main St.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Donald Plank
of (COMPLETE ADDRESS) Plank Law Firm, 145 East Rich Street, FL 3, Columbus, OH 43215-5240

deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

| NAME | COMPLETE MAILING ADDRESS |
|----------------------------|----------------------------------------------------------|
| Carol Y. Maker McElroy | 2000 Norton Road, Columbus, OH 43228 |
| Tonie B. Everhart | 2000 Norton Road, Columbus, OH 43228 |
| Core Resources, Inc. | 1404 Vine Street, Cincinnati, OH 45202 |
| c/o Brian Copfer | |
| Family Dollar Stores, Inc. | 7870 Olentangy River Road, Suite 300, Columbus, OH 43235 |
| c/o Gary Schulte | |

SIGNATURE OF AFFIANT

Donald Plank

Subscribed to me in my presence and before me this 6th day of SEPTEMBER, in the year 2013

SIGNATURE OF NOTARY PUBLIC

Barbara A. Painter

My Commission Expires:

AUGUST 3, 2015

Notary Seal Here



BARBARA A. PAINTER
Notary Public, State of Ohio
My Commission Expires AUGUST 3, 2015

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